

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal) - Nettempad (Village) – O.P.No.5/2004, 7/2004 & 9/2004 (total 3 O.Ps) - Sanction of decretal charges of **Rs.12,42,410/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 530

DATE:18.07.2009

Read:

From the Secy.to CCLA, AP, Hyd.Lr.No.SRP4/1259/2008, DT:02.05.2009
along with the proposal of the Spl.Collector, LA Unit, Bheema Project,
Mahabubnagar dt:27.11.2008.

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposal of the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District for sanction of final payment of decretal charges in respect of O.P.Nos.5/2004, 7/2004 & 9/2004 (total 3 O.Ps) pertaining to Nettempad (V) Dharoor (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the lands to an extent of Ac.67-04 gts situated in the limits of Nettempad (V) Dharoor (M) of Mahabubnagar District vide Award No.5/1999, dt:31.03.1999 for the submergence under PJP by fixing the market value @Rs.30,000/-, Rs.25,000/- and Rs.15,000/- for Cat-I, II & III. The Sr.Civil Judge, Gadwal has enhanced the market value U/s.19 of the L.A.Act vide judgment dt:24.09.2004 from Rs.30,000/-, Rs.25,000/- and Rs.15,000/- to Rs.81,600/- for Cat-I, II and Rs.64,000/- for Cat-III. As per the opinion of the Asst.Govt.Pleader, Gadwal, the SDC, Gadwal has filed appeal before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble h.C of A.P, Hyd has granted interim stay order on 07.02.2005 & 14.02.2005 and directed to deposit half of the decretal amount. Accordingly, an amount of Rs.55,04,106/- was sanctioned and the same was deposited in the court of the Sr.Civil Judge, Gadwal on 22.08.2005. Finally, the Hon'ble High Court has dismissed the appeal filed by the State in As.No.262/2005, dt:13.11.2006 by confirming the Lower court order.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.12,42,410/- (Rupees Twelve lakhs forty two thousand four hundred and ten only)** in respect of O.P.Nos.5/2004, 7/2004 & 9/2004 (total 3 O.Ps) pertaining to Nettempad (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works – 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.2480/F2(2)/2009-1, dated 06.07.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.11127/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER